Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009

Message Text

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PAGE 01 STATE 304568
ORIGIN NODS-00

INFO OCT-01 ISO-00 /001 R

DRAFTED BY EA/K:DBLAKEMORE:JCM
APPROVED BY EA/K - MR. BLAKEMORE
JUSTICE - MR. MICHEL
S/S-O:JETHYDEN
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FM SECSTATE WASHDC
TO AMEMBASSY SEOUL IMMEDIATE

S E C R E T STATE 304568

EXDIS DISTRIBUTE AS NODIS

E.O. 11652: GDS

TAGS: PGOV, KS, US

SUBJECT: DRAFT MEMORANDUM OF UNDERSTANDING BETWEEN
DEPARTMENT OF JUSTICE AND TONGSUN PARK

TRANSMITTED HEREWITH FOR YOUR INFORMATION ONLY IS
DECEMBER 16 DRAFT OF MEMORANDUM OF UNDERSTANDING BETWEEN
DEPARTMENT OF JUSTICE AND TONGSUN PARK.

BEGIN TEXT

THE FOLLOWING IS TO CONFIRM, FORMALIZE, AND
MEMORIALIZE THE COMMITMENTS MADE RESPECTIVELY BY TONGSUN
PARK ("PARK") AND THE DEPARTMENT OF JUSTICE ("THE
DEPARTMENT") REGARDING PARK'S PROMISES TO GIVE TRUTHFUL
TESTIMONY: (1) AT A DEPOSITION IN SEOUL, KOREA; AND
(2) AT ANY SUBSEQUENT TRIALS IN THE UNITED STATES OF
UNITED STATES OFFICIALS OR PERSONS, AND THE DEPARTMENT'S
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OFFER TO: (1) INFORMALLY GRANT PARK TRANSACTIONAL
IMMUNITY FROM PROSECUTION FOR PAST CRIMES RELATING TO
HIS ALLEGED PAYMENTS TO CONGRESSMEN, CONDITIONED ON HIS
PROVIDING FULL COOPERATION, INCLUDING TRUTHFUL AND
CANDID TESTIMONY; AND (2) SEEK DISMISSAL OF THE
INDICTMENT PRESENTLY PENDING AGAINST HIM AFTER PARK HAS
TESTIFIED TRUTHFULLY AT ALL TRIALS.

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THERE ARE NO OTHER COMMITMENTS, ORAL OR WRITTEN, AND THOSE STATED HEREIN SUPERCEDE ANY WHICH WERE DISCUSSED DURING THE NEGOTIATIONS LEADING TO THESE UNDERTAKINGS.

A. UNDERTAKINGS BY DEPARTMENT OF JUSTICE

1. TO TRAVEL TO THE REPUBLIC OF KOREA TO DEPOSE PARK IN SEOUL ("DEPOSITION TESTIMONY").

2. TO FAIRLY EVALUATE THE TRUTHFULNESS OF HIS DEPOSITION AND HIS LATER TRIAL TESTIMONY IN LIGHT OF DOCUMENTS, TESTIMONY, AND INFORMATION ACQUIRED IN THE DEPARTMENT'S INVESTIGATION, INCLUDING THE RESULTS OF POLYGRAPH EXAMINATION OF PARK.

3. TO PRESENT TRANSCRIPTS OF PARK'S DEPOSITION TESTIMONY TO A GRAND JURY IN LIEU OF PERSONAL APPEARANCE BY PARK FOR THE PURPOSE OF SEEKING SUCH INDICTMENTS AGAINST UNITED STATES OFFICIALS OR PERSONS AS MAY BE WARRANTED.

4. TO FACILITATE PARK'S ENTRY INTO THE UNITED STATES FOR THE PURPOSE OF GIVING TESTIMONY AT TRIALS OF UNITED STATES OFFICIALS OR PERSONS.

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5. TO MOVE THE COURT PROMPTLY UPON PARK'S ARRIVAL IN THE UNITED STATES TO ARRAIGN PARK ON THE INDICTMENT PENDING AGAINST HIM, TO RELEASE HIM ON PERSONAL RECOGNIZANCE, AND TO POSTPONE ALL FURTHER PROCEEDINGS ON THE INDICTMENT PENDING PARK'S COMPLETION OF ALL ACTS OF COOPERATION, INCLUDING TRIAL TESTIMONY, AS SET FORTH HEREIN.

6. TO ACT TO PROTECT PARK WHILE HE IS IN THE UNITED STATES FOR THE PURPOSE OF TESTIFYING, SHOULD CAUSE FOR SUCH ACTIONS EXIST.

7. TO OFFER TO APPROPRIATE COMMITTEES OF THE CONGRESS RELEVANT PORTIONS OF THE TRANSCRIPTS OF PARK'S DEPOSITION TESTIMONY AND TO SUGGEST THAT THEY BE ACCEPTED IN LIEU OF ISSUANCE OF SUBPOENAS FOR PERSONAL APPEARANCE BY PARK DURING HIS VISITS IN THE UNITED STATES FOR TRIAL TESTIMONY.

8. NOT TO INTERPOSE OBJECTION TO ANY REQUEST BY PARK OR HIS COUNSEL FOR APPROPRIATE REVIEW OF PENDING CIVIL TAX MATTERS, INCLUDING LIENS, LEVIES, AND

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FORFEITURES PURSUANT TO JEOPARDY ASSESSMENT, BY
APPROPRIATE AUTHORITIES OF THE DEPARTMENT OF JUSTICE AND/
OR THE DEPARTMENT OF TREASURY. (SEE NOTE AT END OF
MESSAGE).

9. TO PERMIT AND FACILITATE ANY TESTIMONY WHICH
PARK MAY WISH TO GIVE IN THE TAX COURT OR OTHER COURTS
CONCERNING HIS CIVIL TAX LIABILITIES TO THE UNITED
STATES.

10. NOT TO INSTITUTE FURTHER CRIMINAL CHARGES
AGAINST PARK IN CONNECTION WITH ALLEGED ILLEGAL
LOBBYING OF U.S. OFFICIALS, EITHER ON THE BASIS OF
HIS TESTIMONY OR INDEPENDENT EVIDENCE, PROVIDED HE SHALL
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GIVE COMPLETE, CANDID AND TRUTHFUL TESTIMONY
IN THE DEPOSITION AND AT ALL TRIALS AND OTHERWISE
FULLY COOPERATE AS AGREED HEREIN, AS DETERMINED
SOLELY BY THE DEPARTMENT OF JUSTICE.

11. TO MOVE THE COURT FOR DISMISSAL OF THE 36-COUNT
INDICTMENT PRESENTLY PENDING AGAINST PARK PROMPTLY
FOLLOWING THE COMPLETION OF HIS TESTIMONY AT THE TRIAL
OF THE UNITED STATES OFFICIAL OR PERSON WHO IS
PROSECUTED LAST, PROVIDED THAT ALL OF PARK'S TESTIMONY
SHALL HAVE BEEN TRUTHFUL AND CANDID AND THAT PARK SHALL
HAVE PROVIDED FULL COOPERATION, AS AGREED HEREIN,
ACCORDING TO THE SOLE DETERMINATION OF THE DEPARTMENT.

12. TO PAY ALL REASONABLE COSTS IN CONNECTION
WITH PARK'S TRAVEL TO AND FROM THE UNITED STATES AND
HIS VISITS IN THE UNITED STATES IN CONNECTION WITH
TESTIFYING AT CRIMINAL TRIALS, ACCORDING TO LAW.

13. TO PERMIT AND FACILITATE PARK'S CONSENSUAL
DEPARTURE FROM THE UNITED STATES TO THE REPUBLIC OF
KOREA PROMPTLY FOLLOWING COMPLETION OF HIS TESTIMONY AT
EACH TRIAL OR PROCEEDING, IN ACCORDANCE WITH THE
LAW AND SUBJECT TO ANY LEGAL PROCEEDINGS OR
PROCESSES.

B. UNDERTAKINGS BY TONGSUN PARK

1. TO APPEAR AS REQUESTED AT A LOCATION IN SEOUL,
KOREA, TO BE AGREED UPON BY THE GOVERNMENTS OF THE
REPUBLIC OF KOREA AND THE UNITED STATES TO SUBMIT TO
EXAMINATION UNDER OATH ADMINISTERED BY A UNITED
STATES OFFICIAL. HIS DEPOSITION TESTIMONY IS TO BE
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STENOGRAPHICALLY RECORDED BY A UNITED STATES COURT REPORTER.

2. TO ANSWER FULLY AND TRUTHFULLY ALL QUESTIONS POSED BY UNITED STATES PROSECUTORS. THE QUESTIONS SHALL CONCERN PARK'S RELATIONSHIP WITH UNITED STATES OFFICIALS, INCLUDING CONGRESSMEN, AND RELATED ACTIONS OR STATEMENTS MADE BY PARK OR MADE IN HIS PRESENCE. IN ADDITION, PARK MAY BE QUESTIONED ABOUT KOREAN OR AMERICAN PERSONS OR ENTITIES UTILIZED BY HIM TO CONDUCT ANY SUCH RELATIONSHIP. THE QUESTIONING SHALL NOT CONCERN ACTIONS OR STATEMENTS OF ANY OFFICIALS OF THE REPUBLIC OF KOREA OR ANY THIRD COUNTRY, EXCEPT THOSE CONCERNING, OR OCCURRING IN THE PRESENCE OF, U.S. OFFICIALS.

3. TO SUBMIT, AS REQUESTED BY UNITED STATES AUTHORITIES, TO POLYGRAPH EXAMINATION BY A UNITED STATES EXAMINER TO EVALUATE THE TRUTHFULNESS OF HIS ANSWERS DURING HIS EXAMINATION BY UNITED STATES PROSECUTORS.

4. TO WAIVE AND REFRAIN FROM ASSERTING ANY AND ALL TESTIMONIAL PRIVILEGES HE MAY HAVE UNDER EITHER KOREAN OR AMERICAN LAW DECLINING TO FULLY ANSWER ALL QUESTIONS OR TO PROVIDE, OR CAUSE OTHERS TO PROVIDE, DOCUMENTS AND MATERIAL, OR OTHERWISE TO COOPERATE.

5. TO PRODUCE NOT LATER THAN AT THE DEPOSITION IN SEOUL, KOREA, ALL MATERIALS AND DOCUMENTS, INCLUDING DIARIES, LEDGERS, APPOINTMENT BOOKS, TELEPHONE MESSAGES, BILLS, AND RECORDS, TELEX MESSAGES, LETTERS, REPORTS, MEMORANDA,NOTES AND OTHER WRITINGS OR MATERIALS IN HIS CUSTOFY OR POSSESSION OR UNDER HIS CONTROL WHICH ARE OR AMY BE RELEVANT DIRECTLY OR INDIRECTLY TO PAYMENTS TO OR FOR THE BENEFIT OF UNITED STATES OFFICIALS, OR THE OPERATIONS OF THE GEORGE-TOWN CLUB, OR RICE SALES.

6. TO AUTHORIZE AND DIRECT ALL EMPLOYEES, ATTORNEYS, ACCOUNTANTS OR AGENTS, WHETHER EMPLOYED IN THE REPUBLIC OF KOREA, THE UNITED STATES OF AMERICA, OR ELSEWHERE, BY PARK OR BY ANY COMPANY OR ENTITY OWNED OR CONTROLLED BY HIM, INCLUDING BUT NOT LIMITED TO MIRYUNG MOLSANG CO., PACIFIC DEVELOPMENT INC.,

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SUTER'S TAVERN INC., AND THE GEORGE-TOWN CLUB,
PROMPTLY TO PROVIDE TO UNITED STATES PROSECUTORS ANY
MATERIAL OR INFORMATION IN THEIR POSSESSION, CUSTODY
OR CONTROL WHICH IS RELEVANT TO THE MATTERS
ICENTIFIED IN THE PREVIOUS PARAGRAPH.

7. TO COME TO THE UNITED STATES WHENEVER CALLED
BY THE DEPARTMENT TO TESTIFY AT CRIMINAL TRIALS
OR RELATED COURT PROCEEDINGS INVOLVING UNITED STATES
OFFICIALS OR PERSONS, TO REFRAIN FROM EXERCISING ANY
TESTIMONIAL PRIVILEGE WHICH HE MAY HAVE UNDER UNITED
STATES LAW, AND TO GIVE COMPLETE, CANDID AND TRUTHFUL
TESTIMONY.

8. TO SUBMIT TO AND REMAIN VOLUNTARILY IN THE
CUSTODY OF AGENTS OF THE DEPARTMENT DURING TRIPS BETWEEN
THE REPUBLIC OF KOREA AND THE UNITED STATES AND
WHILE IN THE UNITED STATES.

IT IS UNDERSTOOD AND AGREED BY MR. PARK AND THE
DEPARTMENT OF JUSTICE THAT IN THE NEGOTIATIONS LEADING
TO THIS MEMORANDUM OF UNDERSTANDING THE DEPARTMENT
HAS NOT REPRESENTED THE INTERESTS OF THE CONGRESS AND
THAT THE COMMITMENTS STATED HEREIN HAVE NOT BEEN
JOINED IN BY ANY CONGRESSIONAL COMMITTEE AND ARE NOT
INTENDED TO GOVERN REQUESTS FROM THE CONGRESS WHICH MAY
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BE MADE TO PARK OR THE GOVERNMENT OF THE REPUBLIC OF
KOREA, OR RESPONSES THERETO, CONCERNING MR. PARK OR ANY
OTHER KOREAN CITIZEN.

TONG SUN PARK DATE: BENJAMIN R. CIVILETTI DATE:

WILLIAM G. HUNDLEY DATE: PAUL R. MICHEL DATE:

(NOTE: THE UNITED STATES JUSTICE DEPARTMENT DOES NOT
MAKE ANY COMMITMENT WHATEVER TO ATTEMPT TO AFFECT THE
DETERMINATION OF PARK'S CIVIL TAX LIABILITIES OR
PENDING LITIGATION RELATING THERETO, EXCEPT THE
REVIEW DESCRIBED ABOVE OR TO AFFECT THE DISPOSITION OF
OTHER CIVIL MATTERS BETWEEN THE UNITED STATES
GOVERNMENT AND TONGSUN PARK OR ANY PRIVATE PERSON OR EN-
TITY AND TONGSUN PARK IN THE UNITED STATES. END TEXT.

AN ADDITIONAL CAVEAT: THIS IS A LATER VERSION OF THE
MOU THAN THE ONE TONGSUN PARK HAS. VANCE

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S E C R E T STATE 304568

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FOLLOWING REPEAT STATE 304568 SENT ACTION SEOUL DEC 22.
QUOTE S E C R E T STATE 304568

EXDIS DISTRIBUTE AS NODIS

E.O. 11652: GDS

TAGS: PGOV, KS, US

SUBJECT: DRAFT MEMORANDUM OF UNDERSTANDING BETWEEN
DEPARTMENT OF JUSTICE AND TONGSUN PARK

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PARK ("PARK") AND THE DEPARTMENT OF JUSTICE ("THE
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DEPARTMENT") REGARDING PARK'S PROMISES TO GIVE TRUTHFUL
TESTIMONY: (1) AT A DEPOSITION IN SEOUL, KOREA; AND

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(2) AT ANY SUBSEQUENT TRIALS IN THE UNITED STATES OF UNITED STATES OFFICIALS OR PERSONS, AND THE DEPARTMENT'S OFFER TO: (1) INFORMALLY GRANT PARK TRANSACTIONAL IMMUNITY FROM PROSECUTION FOR PAST CRIMES RELATING TO HIS ALLEGED PAYMENTS TO CONGRESSMEN, CONDITIONED ON HIS PROVIDING FULL COOPERATION, INCLUDING TRUTHFUL AND CANDID TESTIMONY; AND (2) SEEK DISMISSAL OF THE INDICTMENT PRESENTLY PENDING AGAINST HIM AFTER PARK HAS TESTIFIED TRUTHFULLY AT ALL TRIALS.
THERE ARE NO OTHER COMMITMENTS, ORAL OR WRITTEN, AND THOSE STATED HEREIN SUPERCEDE ANY WHICH WERE DISCUSSED DURING THE NEGOTIATIONS LEADING TO THESE UNDERTAKINGS.

A. UNDERTAKINGS BY DEPARTMENT OF JUSTICE

1. TO TRAVEL TO THE REPUBLIC OF KOREA TO DEPOSE PARK IN SEOUL ("DEPOSITION TESTIMONY").

2. TO FAIRLY EVALUATE THE TRUTHFULNESS OF HIS DEPOSITION AND HIS LATER TRIAL TESTIMONY IN LIGHT OF DOCUMENTS, TESTIMONY, AND INFORMATION ACQUIRED IN THE DEPARTMENT'S INVESTIGATION, INCLUDING THE RESULTS OF POLYGRAPH EXAMINATION OF PARK.

3. TO PRESENT TRANSCRIPTS OF PARK'S DEPOSITION TESTIMONY TO A GRAND JURY IN LIEU OF PERSONAL APPEARANCE BY PARK FOR THE PURPOSE OF SEEKING SUCH INDICTMENTS AGAINST UNITED STATES OFFICIALS OR PERSONS AS MAY BE WARRANTED.

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4. TO FACILITATE PARK'S ENTRY INTO THE UNITED STATES FOR THE PURPOSE OF GIVING TESTIMONY AT TRIALS OF UNITED STATES OFFICIALS OR PERSONS.

5. TO MOVE THE COURT PROMPTLY UPON PARK'S ARRIVAL IN THE UNITED STATES TO ARRAIGN PARK ON THE INDICTMENT PENDING AGAINST HIM, TO RELEASE HIM ON PERSONAL RECOGNIZANCE, AND TO POSTPONE ALL FURTHER PROCEEDINGS ON THE INDICTMENT PENDING PARK'S COMPLETION OF ALL ACTS OF COOPERATION, INCLUDING TRIAL TESTIMONY, AS SET FORTH HEREIN.

6. TO ACT TO PROTECT PARK WHILE HE IS IN THE UNITED STATES FOR THE PURPOSE OF TESTIFYING, SHOULD CAUSE FOR SUCH ACTIONS EXIST.

7. TO OFFER TO APPROPRIATE COMMITTEES OF THE

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CONGRESS RELEVANT PORTIONS OF THE TRANSCRIPTS OF PARK'S DEPOSITION TESTIMONY AND TO SUGGEST THAT THEY BE ACCEPTED IN LIEU OF ISSUANCE OF SUBPOENAS FOR PERSONAL APPEARANCE BY PARK DURING HIS VISITS IN THE UNITED STATES FOR TRIAL TESTIMONY.

8. NOT TO INTERPOSE OBJECTION TO ANY REQUEST BY PARK OR HIS COUNSEL FOR APPROPRIATE REVIEW OF PENDING CIVIL TAX MATTERS, INCLUDING LIENS, LEVIES, AND FORFEITURES PURSUANT TO JEOPARDY ASSESSMENT, BY APPROPRIATE AUTHORITIES OF THE DEPARTMENT OF JUSTICE AND/ OR THE DEPARTMENT OF TREASURY. (SEE NOTE AT END OF MESSAGE).

9. TO PERMIT AND FACILITATE ANY TESTIMONY WHICH PARK MAY WISH TO GIVE IN THE TAX COURT OR OTHER COURTS CONCERNING HIS CIVIL TAX LIABILITIES TO THE UNITED STATES.

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10. NOT TO INSTITUTE FURTHER CRIMINAL CHARGES AGAINST PARK IN CONNECTION WITH ALLEGED ILLEGAL LOBBYING OF U.S. OFFICIALS, EITHER ON THE BASIS OF HIS TESTIMONY OR INDEPENDENT EVIDENCE, PROVIDED HE SHALL GIVE COMPLETE, CANDID AND TRUTHFUL TESTIMONY IN THE DEPOSITION AND AT ALL TRIALS AND OTHERWISE FULLY COOPERATE AS AGREED HEREIN, AS DETERMINED SOLELY BY THE DEPARTMENT OF JUSTICE.

11. TO MOVE THE COURT FOR DISMISSAL OF THE 36-COUNT INDICTMENT PRESENTLY PENDING AGAINST PARK PROMPTLY FOLLOWING THE COMPLETION OF HIS TESTIMONY AT THE TRIAL OF THE UNITED STATES OFFICIAL OR PERSON WHO IS PROSECUTED LAST, PROVIDED THAT ALL OF PARK'S TESTIMONY SHALL HAVE BEEN TRUTHFUL AND CANDID AND THAT PARK SHALL HAVE PROVIDED FULL COOPERATION, AS AGREED HEREIN, ACCORDING TO THE SOLE DETERMINATION OF THE DEPARTMENT.

12. TO PAY ALL REASONABLE COSTS IN CONNECTION WITH PARK'S TRAVEL TO AND FROM THE UNITED STATES AND HIS VISITS IN THE UNITED STATES IN CONNECTION WITH TESTIFYING AT CRIMINAL TRIALS, ACCORDING TO LAW.

13. TO PERMIT AND FACILITATE PARK'S CONSENSUAL DEPARTURE FROM THE UNITED STATES TO THE REPUBLIC OF KOREA PROMPTLY FOLLOWING COMPLETION OF HIS TESTIMONY AT EACH TRIAL OR PROCEEDING, IN ACCORDANCE WITH THE LAW AND SUBJECT TO ANY LEGAL PROCEEDINGS OR PROCESSES.

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B. UNDERTAKINGS BY TONGSUN PARK

1. TO APPEAR AS REQUESTED AT A LOCATION IN SEOUL,
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KOREA, TO BE AGREED UPON BY THE GOVERNMENTS OF THE REPUBLIC OF KOREA AND THE UNITED STATES TO SUBMIT TO EXAMINATION UNDER OATH ADMINISTERED BY A UNITED STATES OFFICIAL. HIS DEPOSITION TESTIMONY IS TO BE STENOGRAPHICALLY RECORDED BY A UNITED STATES COURT REPORTER.

2. TO ANSWER FULLY AND TRUTHFULLY ALL QUESTIONS POSED BY UNITED STATES PROSECUTORS. THE QUESTIONS SHALL CONCERN PARK'S RELATIONSHIP WITH UNITED STATES OFFICIALS, INCLUDING CONGRESSMEN, AND RELATED ACTIONS OR STATEMENTS MADE BY PARK OR MADE IN HIS PRESENCE. IN ADDITION, PARK MAY BE QUESTIONED ABOUT KOREAN OR AMERICAN PERSONS OR ENTITIES UTILIZED BY HIM TO CONDUCT ANY SUCH RELATIONSHIP. THE QUESTIONING SHALL NOT CONCERN ACTIONS OR STATEMENTS OF ANY OFFICIALS OF THE REPUBLIC OF KOREA OR ANY THIRD COUNTRY, EXCEPT THOSE CONCERNING, OR OCCURRING IN THE PRESENCE OF, U.S. OFFICIALS.

3. TO SUBMIT, AS REQUESTED BY UNITED STATES AUTHORITIES, TO POLYGRAPH EXAMINATION BY A UNITED STATES EXAMINER TO EVALUATE THE TRUTHFULNESS OF HIS ANSWERS DURING HIS EXAMINATION BY UNITED STATES PROSECUTORS.

4. TO WAIVE AND REFRAIN FROM ASSERTING ANY AND ALL TESTIMONIAL PRIVILEGES HE MAY HAVE UNDER EITHER KOREAN OR AMERICAN LAW DECLINING TO FULLY ANSWER ALL QUESTIONS OR TO PROVIDE, OR CAUSE OTHERS TO PROVIDE, DOCUMENTS AND MATERIAL, OR OTHERWISE TO COOPERATE.

5. TO PRODUCE NOT LATER THAN AT THE DEPOSITION IN SEOUL, KOREA, ALL MATERIALS AND DOCUMENTS, INCLUDING DIARIES, LEDGERS, APPOINTMENT BOOKS, TELEPHONE MESSAGES, BILLS, AND RECORDS, TELEX MESSAGES, LETTERS, REPORTS, MEMORANDA,NOTES AND OTHER WRITINGS OR MATERIALS IN HIS CUSTOFY OR POSSESSION OR UNDER HIS
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CONTROL WHICH ARE OR AMY BE RELEVANT DIRECTLY OR INDIRECTLY TO PAYMENTS TO OR FOR THE BENEFIT OF

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UNITED STATES OFFICIALS, OR THE OPERATIONS OF THE
GEORGE-TOWN CLUB, OR RICE SALES.

6. TO AUTHORIZE AND DIRECT ALL EMPLOYEES,
ATTORNEYS, ACCOUNTANTS OR AGENTS, WHETHER EMPLOYED IN
THE REPUBLIC OF KOREA, THE UNITED STATES OF AMERICA,
OR ELSEWHERE, BY PARK OR BY ANY COMPANY OR ENTITY OWNED
OR CONTROLLED BY HIM, INCLUDING BUT NOT LIMITED TO
MIRYUNG MOLSANG CO., PACIFIC DEVELOPMENT INC.,
SUTER'S TAVERN INC., AND THE GEORGE-TOWN CLUB,
PROMPTLY TO PROVIDE TO UNITED STATES PROSECUTORS ANY
MATERIAL OR INFORMATION IN THEIR POSSESSION, CUSTODY
OR CONTROL WHICH IS RELEVANT TO THE MATTERS
ICENTIFIED IN THE PREVIOUS PARAGRAPH.

7. TO COME TO THE UNITED STATES WHENEVER CALLED
BY THE DEPARTMENT TO TESTIFY AT CRIMINAL TRIALS
OR RELATED COURT PROCEEDINGS INVOLVING UNITED STATES
OFFICIALS OR PERSONS, TO REFRAIN FROM EXERCISING ANY
TESTIMONIAL PRIVILEGE WHICH HE MAY HAVE UNDER UNITED
STATES LAW, AND TO GIVE COMPLETE, CANDID AND TRUTHFUL
TESTIMONY.

8. TO SUBMIT TO AND REMAIN VOLUNTARILY IN THE
CUSTODY OF AGENTS OF THE DEPARTMENT DURING TRIPS BETWEEN
THE REPUBLIC OF KOREA AND THE UNITED STATES AND
WHILE IN THE UNITED STATES.

IT IS UNDERSTOOD AND AGREED BY MR. PARK AND THE
DEPARTMENT OF JUSTICE THAT IN THE NEGOTIATIONS LEADING
TO THIS MEMORANDUM OF UNDERSTANDING THE DEPARTMENT
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HAS NOT REPRESENTED THE INTERESTS OF THE CONGRESS AND
THAT THE COMMITMENTS STATED HEREIN HAVE NOT BEEN
JOINED IN BY ANY CONGRESSIONAL COMMITTEE AND ARE NOT
INTENDED TO GOVERN REQUESTS FROM THE CONGRESS WHICH MAY
BE MADE TO PARK OR THE GOVERNMENT OF THE REPUBLIC OF
KOREA, OR RESPONSES THERETO, CONCERNING MR. PARK OR ANY
OTHER KOREAN CITIZEN.

TONG SUN PARK DATE: BENJAMIN R. CIVILETTI DATE:

WILLIAM G. HUNDLEY DATE: PAUL R. MICHEL DATE:

(NOTE: THE UNITED STATES JUSTICE DEPARTMENT DOES NOT
MAKE ANY COMMITMENT WHATEVER TO ATTEMPT TO AFFECT THE
DETERMINATION OF PARK'S CIVIL TAX LIABILITIES OR
PENDING LITIGATION RELATING THERETO, EXCEPT THE
REVIEW DESCRIBED ABOVE OR TO AFFECT THE DISPOSITION OF

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OTHER CIVIL MATTERS BETWEEN THE UNITED STATES
GOVERNMENT AND TONGSUN PARK OR ANY PRIVATE PERSON OR ENTITY AND TONGSUN PARK IN THE UNITED STATES. END TEXT.

AN ADDITIONAL CAVEAT: THIS IS A LATER VERSION OF THE
MOU THAN THE ONE TONGSUN PARK HAS. VANCE UNQUOTE VANCE

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
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Control Number: n/a
Copy: SINGLE
Sent Date: 22-Dec-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977STATE304568
Document Source: CORE
Document Unique ID: 00
Drafter: DBLAKEMORE:JCM
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: P850067-2575
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Litigation History:
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Message ID: a20e49fe-c188-dd11-92da-001cc4696bcc
Office: ORIGIN NODS
Original Classification: SECRET
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: NODIS, EXDIS
Page Count: 11
Previous Channel Indicators: n/a
Previous Classification: SECRET
Previous Handling Restrictions: NODIS, EXDIS
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
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Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 145651
Secure: OPEN
Status: NATIVE
Subject: DRAFT MEMORANDUM OF UNDERSTANDING BETWEEN DEPARTMENT OF JUSTICE AND TONGSUN PARK
TAGS: PGOV, US, KS, JUS, (PARK TONG-SUN)
To: SEOUL
Type: TE
vdkvgwkey: odbc://SAS/SAS.dbo.SAS_Docs/a20e49fe-c188-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009